

041904

20427 U.S. PTO

UTILITY
PATENT APPLICATION
TRANSMITTAL

Our Docket No.: 6749.05

First Named Inventor: Leonard S. Schultz

Title: **METHODS AND APPARATUS FOR IMAGE
RECOGNITION AND DICTATION**

Express Mail No.: EV 325425809 US

ADDRESS TO:

Mail Stop **PATENT APPLICATION**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-145017513 U.S. PTO
10/827558

041904

APPLICATION ELEMENTS

1. ☒ Fee Calculation Sheet
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status
3. ☒ Specification with Cover Sheet Total Pages: 48
☒ Descriptive title of the invention
☐ Cross Reference to Related Applications
☐ Statement Re: Fed. Sponsored R&D
☐ Reference to Microfiche Appendix
☒ Background of the Invention
☒ Brief Summary of the Invention
☒ Brief Description of the Drawings
☒ Detailed Description
☒ Claims
☒ Abstract of the Disclosure
4. ☒ Drawings (35 U.S.C. 113) Total Sheets: 22
5. ☒ Oath or Declaration Total Pages: 2
a. ☐ Newly Executed (original or copy)
b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with
Box 19 completed)
i. ☐ **DELECTION OF INVENTORS**
Signed statement attached deleting inventor(s)
named in the prior application (37 C.F.R.
1.63(d)(2) and 1.33(b))
6. ☒ Application Data Sheet (37 C.F.R. 1.76)
7. ☐ CD-ROM or CD-R in duplicate,
large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(If applicable, all necessary)
a. ☐ Computer Readable Form (CRF)
b. ☐ Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ paper
c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Certification Under 35 U.S.C. 122(b)(2)(B)(i)
10. ☐ Assignment Papers (cover sheet & document(s))
11. ☐ 37 C.F.R. 3.73(b) Submission
12. ☐ Power of Attorney
13. ☐ Information Disclosure Statement
(with Copies of Citations as necessary)
14. ☒ Preliminary Amendment Total Pages: 9
15. ☐ Certified Copy of Priority document(s)
(if foreign priority is claimed)
16. ☐ English Translation Document (if applicable)
17. ☒ Return Receipt Postcard
(Should be specifically itemized)
18. ☒ Other
☒ Check No. 989803 for \$874
☒ Petition To Accept Color Drawings Or Photographs
Under 37 CFR 1.84(a)(2) and (b)(2) (2 pages)
☐ Three (3) Sets of Color Photographs (22 pages each)

CONTINUATION APPLICATIONS

19. If a CONTINUING APPLICATION, check appropriate box and
supply the requisite information:

- ☒ Continuation
☐ Division
☐ Continuation-in-Part (CIP)

of PRIOR APPLICATION

No. 09/860,728, filed May 18, 2001
and also claims priority from international PCT patent application
PCT/US02/15545, filed May 16, 2002.

For CONTINUATION or DIVISIONAL APPLICATIONS: The entire
disclosure of the prior application, from which a copy of the oath or
declaration is supplied under Box 5b, is considered as being part of the
disclosure of the accompanying application and is hereby incorporated
by reference.

CORRESPONDENCE ADDRESS

ADDRESS	CUSTOMER NUMBER 25763	DORSEY & WHITNEY LLP Intellectual Property Department Suite 1500 50 South Sixth Street Minneapolis, MN 55402-1498	
TELEPHONE	(612) 340-6317	FAX	(612) 340-8856
Attorney Name: David E. Bruhn		Reg. No. 36,762	
Signature: <i>David E. Bruhn</i>		Date: <i>April 19, 2004</i>	

041904

20427 U.S. PTO

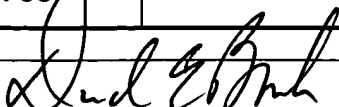
APPLICATION FEE TRANSMITTAL SHEET (FY 2004)

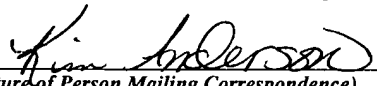
Complete if Known

Application No.	Not Yet Known
Filing Date	Herewith
First Named Inventor	Leonard S. Schultz
Group Art Unit	Not Yet Known
Examiner Name	Not Yet Known
Atty. Docket Number	6749.05

METHOD OF PAYMENT (Check One)		FEE CALCULATION (Continued)																																																																																																													
1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account No.: 04-1420 Deposit Account Name: <u>DORSEY & WHITNEY LLP</u> <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status (see 37 C.F.R. 1.27)		3. ADDITIONAL FEES																																																																																																													
2. <input checked="" type="checkbox"/> Check Enclosed		<table border="1"> <thead> <tr> <th>Large Entity Fee</th> <th>Small Entity Fee</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>65</td> <td>Surcharge - Late nonprovisional filing fee or oath</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of IDS</td> <td></td> </tr> <tr> <td>40</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>420</td> <td>210</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>950</td> <td>475</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>1,480</td> <td>740</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>2,010</td> <td>1,005</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>770</td> <td>385</td> <td>Submission After Final 1.129</td> <td></td> </tr> <tr> <td>330</td> <td>165</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>330</td> <td>165</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>290</td> <td>145</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Terminal Disclaimer Fee</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Petitions to the Commissioner (Petition For Accepting Color Drawings or Photographs § 1.84)</td> <td>\$130</td> </tr> <tr> <td>50</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>1,330</td> <td>665</td> <td>Utility/Reissue Issue Fee (including advance copies)</td> <td></td> </tr> <tr> <td>480</td> <td>240</td> <td>Design Issue Fee (inc. advance copies)</td> <td></td> </tr> <tr> <td>770</td> <td>385</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>300</td> <td>300</td> <td>Publication fee for early, voluntary, or normal publication</td> <td></td> </tr> <tr> <td>300</td> <td>300</td> <td>Publication fee for re-publication</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Petition to Revive - unavoidable</td> <td></td> </tr> <tr> <td>1,330</td> <td>665</td> <td>Petition to Revive - unintentional</td> <td></td> </tr> <tr> <td colspan="2">OTHER FEE (specify)</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Subtotal (3)</td> <td></td> <td>\$130</td> </tr> <tr> <td colspan="2">Total Amount of Payment:</td> <td></td> <td>\$874</td> </tr> </tbody> </table>		Large Entity Fee	Small Entity Fee	Fee Description	Fee paid	50	25	Surcharge - late provisional filing fee or cover sheet		130	65	Surcharge - Late nonprovisional filing fee or oath		180	180	Submission of IDS		40	40	Recording each patent assignment per property (times number of properties)		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1,480	740	Extension for reply within fourth month		2,010	1,005	Extension for reply within fifth month		770	385	Submission After Final 1.129		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		110	55	Terminal Disclaimer Fee		130	130	Petitions to the Commissioner (Petition For Accepting Color Drawings or Photographs § 1.84)	\$130	50	50	Petitions related to provisional applications		1,330	665	Utility/Reissue Issue Fee (including advance copies)		480	240	Design Issue Fee (inc. advance copies)		770	385	Request for Continued Examination (RCE)		300	300	Publication fee for early, voluntary, or normal publication		300	300	Publication fee for re-publication		110	55	Petition to Revive - unavoidable		1,330	665	Petition to Revive - unintentional		OTHER FEE (specify)				Subtotal (3)			\$130	Total Amount of Payment:			\$874
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Submitted by:

CUSTOMER NUMBER 25763	DORSEY & WHITNEY LLP	Intellectual Property Department Suite 1500, 50 South Sixth Street Minneapolis, MN 55402	
Name: David E. Bruhn	Phone No.: (612) 340-6317	Fax No.:	(612) 340-8856
Signature: 	Reg. No.: 36,762	Date:	April 19, 2004

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) Applicant(s): Leonard S. Schultz			Docket No. 6749.05	
Serial No. Not Yet Known	Filing Date Herewith	Examiner Not Yet Known		Group Art Unit Not Yet Known
Invention: METHODS AND APPARATUS FOR IMAGE RECOGNITION AND DICTATION				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> Appln Transmtl (1); Fee Transmtl (1); Appln Data Sheet (2); Copy of Decl from priority appln (2); Prelim Amend (9); Copy of Spec w/Cover Sheet from priority appln (48); Drwgs (22); Pet to Accept Color Drwgs or Photos Under 37 CFR 1.84(a)(2) & (b)(2) (2); Three Sets Color Photos (22 each set); Check #989803; Recpt Pstcard </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <div style="margin-top: 20px;"> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;"> <u>19 April 2004</u> <i>(Date)</i> </div> <div style="text-align: center;"> <u>Kim Anderson</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i>  <i>(Signature of Person Mailing Correspondence)</i> </div> </div> <div style="text-align: center; margin-top: 10px;"> <u>EV 325425809 US</u> <i>("Express Mail" Mailing Label Number)</i> </div> </div> <p style="text-align: center; margin-top: 40px;">Note: Each paper must have its own certificate of mailing.</p>				

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Leonard S. Schultz	
Appln. No.:	Not Yet Known	
Filing Date:	Herewith	Examiner: Not Yet Known
Title:	METHODS AND APPARATUS FOR IMAGE RECOGNITION AND DICTATION	Group Art Unit: Not Yet Known

**PETITION TO ACCEPT COLOR DRAWINGS OR PHOTOGRAPHS
UNDER 37 C.F.R. § 1.84(a)(2) and (b)(2)**

Mail Stop PATENT APPLICATION

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Express Mail mailing label number: EV 325425809 USDate of Deposit: 19 April 2004

I hereby certify that this document or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Name: Kim Anderson


Signature

Sir:

1. This petition is for the acceptance of color:

- ☐ drawings (37 C.F.R. § 1.84(a)(2).
☒ photographs (37 C.F.R. § 1.84(b)(2).

2. Attached hereto are three (3) sets of color:

- ☐ drawings.
☒ photographs.

3. Please note the specification for the subject application, as filed herewith, already contains the following paragraph (please see the specification as filed, page 11, lines 7-9).

"This patent and/or patent application file contains photographs executed in color. Copies of this patent or patent application publication with color photographs will be provided by the Office upon request and payment of necessary fee."

4. The reason(s) for the need for color drawings or photographs in this application is/are as follows: the color of living tissue is of interest to the disclosure of an image recognition and dictation method and apparatus, and color photographs are the most practical medium by which to disclose and support the subject matter to be patented. Also, the photographs are in vivo images. Per 37 C.F.R. § 1.84, color photographs of in vivo imaging are acceptable.

5. The petition fee required to waive the requirements of § 1.84 (37 C.F.R. § 1.17(h)) is paid as follows:

- ☒ Attached is a check for the sum of \$874, \$130 of which to cover fee under § 1.17(h).
- ☐ Charge Deposit account # 04-1420 the sum of \$130.00.
(A duplicate of this petition is attached.)

Respectfully submitted,

DORSEY & WHITNEY LLP

Date:

April 19, 2004

By:

David E. Bruhn

David E. Bruhn
Reg. No. 36,762
Suite 1500
50 South Sixth Street
Minneapolis, MN 55402-1498
(612) 340-6317